

Colorado Department of Public Health and Environment

OPERATING PERMIT

TransColorado Gas Transmission Company Dolores Compressor Station

First Issued: February 1, 2001

Renewed: December 1, 2005

AIR POLLUTION CONTROL DIVISION COLORADO OPERATING PERMIT

FACILITY NAME: Dolores Compressor OPERATING PERMIT NUMBER

Station

FACILITY ID: 0330019 **000PDO225**

RENEWED: December 1, 2005

EXPIRATION DATE: December 1, 2010

MODIFICATIONS: See Appendix F of Permit

Issued in accordance with the provisions of Colorado Air Pollution Prevention and Control Act, 25-7-101 et seq and applicable rules and regulations.

ISSUED TO: PLANT SITE LOCATION:

TransColorado Gas Transmission Company Dolores Compressor Station

P.O. Box 281304 Section 9, T39N, R14W

Lakewood, CO 80228-8304 Dolores County

INFORMATION RELIED UPON

Operating Permit Renewal Application Received: February 2, 2005

And Additional Information Received: N/A

Nature of Business: Natural Gas Transmission

Primary SIC: 4922

RESPONSIBLE OFFICIAL FACILITY CONTACT PERSON

Name: Kevin Philbrick Name: Dawn Meyers

Title: Operations Director Title: Environmental Coordinator

Rocky Mountain Region

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SUBMITTAL DEADLINES

Semi-Annual Monitoring Period: August – January, February - July

Semi-Annual Monitoring Report: March 1, 2006 & September 1, 2006 and subsequent years

Annual Compliance Period: Begins February 1 to January 31
Annual Compliance Certification: March 1, 2006 and subsequent years

Note that the Semi-Annual Monitoring reports and the Annual Compliance report must be received at the Division office by 5:00 p.m.

on the due date. Postmarked dates will not be accepted for the purposes of determining the timely receipt of those reports.

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SECTION I - General Activities and Summary

1. Permitted Activities

1.1 The Dolores Compressor Station is a natural gas transmission facility. Natural gas is compressed for transmission to sales pipelines using reciprocating engines driving gas compressors. Electrical power is also generated on-site for use at the station, using reciprocating engines driving generators.

The facility is located in Section 9, T39N, R14W, on private land surrounded by the San Juan National Forest approximately 13 miles northeast of Dolores, Colorado and 0.6 miles east of Beaver Creek. The area in which the plant operates is designated as an attainment area for all pollutants.

Utah and New Mexico are affected states within 50 miles of the plant. Mesa Verde National Park is a Federal Class I designated area within 100 kilometers of the plant.

- 1.2 Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air pollutants from this facility in accordance with the requirements, limitations, and conditions of this permit.
- 1.3 This Operating Permit incorporates the applicable requirements contained in the underlying construction permits, and does not affect those applicable requirements, except as modified during review of the application or as modified subsequent to permit issuance using the modification procedures found in Regulation No. 3, Part C. These Part C procedures meet all applicable substantive New Source Review requirements of Part B. Any revisions made using the provisions of Regulation No. 3, Part C shall become new applicable requirements for purposes of this Operating Permit and shall survive reissuance. This Operating Permit incorporates the applicable requirements (except as noted in Section II) from the following Colorado Construction Permit(s): 98DO184 and 98DO185.
- 1.4 All conditions in this permit are enforceable by US Environmental Protection Agency, Colorado Air Pollution Control Division (hereinafter Division) and its agents, and citizens unless otherwise specified. **State-only enforceable conditions are:**

Permit Condition Number(s): Section IV - Conditions 14 and 18 (as noted).

1.5 All information gathered pursuant to the requirements of this permit is subject to the Recordkeeping and Reporting requirements listed under Condition 22 of the General Conditions in Section IV of this permit.

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2. Alternative Operating Scenarios

The following Alternative Operating Scenario (AOS) for temporary and permanent engine replacement has been reviewed in accordance with the requirements of Regulation No. 3., Part A, Section IV.A, Operational Flexibility-Alternative Operating Scenarios, and Regulation No. 3, Part B, Construction Permits, and Regulation No. 3, Part D, Major Stationary Source New Source review and Prevention of Significant Deterioration, and has been found to meet all applicable substantive and procedural requirements. This permit incorporates and shall be considered a Construction Permit for any engine replacement performed in accordance with this AOS, and the permittee shall be allowed to perform such engine replacement without applying for a revision to this permit or obtaining a new Construction Permit.

2.1 **Engine Replacement**

The following AOS is incorporated into this permit in order to deal with a compressor engine breakdown or periodic routine maintenance and repair of an existing onsite engine that requires the use of either a temporary or permanent replacement engine. "Temporary" is defined as in the same service for 90 operating days or less in any 12 month period. "Permanent" is defined as in the same service for more than 90 operating days in any 12 month period. The 90 days is the total number of days that the engine is in operation. If the engine operates only part of a day, that day counts towards the 90 day total. Note that the compliance demonstrations and any periodic monitoring required by this AOS are in addition to any compliance demonstrations or periodic monitoring required by this permit.

All replacement engines are subject to all federally applicable and state-only requirements set forth in this permit (including monitoring and record keeping), and shall be subject to any shield afforded by this permit.

Results of all tests and the associated calculations pursuant required by this AOS shall be submitted to the Division within 30 calendar days of the test. Results of all tests shall be kept on site for five (5) years and made available to the Division upon request.

The permittee shall maintain a log on-site to contemporaneously record the start and stop date of any engine replacement, the manufacturer, model number, horsepower, and serial number of the engine(s) that are replaced during the term of this permit, and the manufacturer, model number, horsepower, and serial number of the replacement engine.

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2.1.1 The permittee may **temporarily** replace an existing compressor engine that is subject to the emission limits set forth in this permit with an engine that is of the same manufacturer, model, and horsepower or a different manufacturer, model, or horsepower as the existing engine without modifying this permit, so long as the emissions from the temporary replacement engine comply with the emission limitations for the existing permitted engine as determined in condition 2.2. Measurement of emissions from the temporary replacement engine shall be made as set forth in condition 2.2.

The permittee may temporarily replace a grandfathered or permit exempt engine or an engine that is not subject to emission limits without modifying this permit. In this circumstance, potential annual emissions of NO_x and CO from the temporary replacement engine must be less than or equal to the potential annual emissions of NO_x and CO from the original grandfathered or permit exempt engine or for the engine that is not subject to emission limits, as determined by applying appropriate emission factors (e.g. AP-42 or manufacturer's emission factors)

The permittee may temporarily replace a grandfathered or permit exempt engine or an engine that is not subject to emission limits without modifying this permit. Potential annual emissions of NO_x and CO from the temporary replacement engine must be less than or equal to the potential annual emissions of NO_x and CO from the original grandfathered or permit exempt engine or for the engine that is not subject to emission limits, as determined by applying appropriate emission factors.

2.1.2 The permittee may **permanently** replace the existing compressor engine for the emission points specified in Table 1 with the manufacturer, model, and horsepower engines listed in Table 1 without modifying this permit so long as the emissions from the permanent replacement engine comply with the emission limitations for the existing permitted engine as determined in Condition 2.2. Measurement of emissions from the temporary replacement engine shall be made as set forth in Condition 2.2.

An Air Pollutant Emissions Notice (APEN) that includes the specific manufacturer, model and serial number and horsepower of the permanent replacement engine shall be filed with the Division for the permanent replacement engine within 14 calendar days of commencing operation of the replacement engine. The APEN shall be accompanied by the appropriate APEN filing fee and a cover letter explaining that the permittee is exercising an alternative operating scenario and is installing a permanent replacement engine.

This AOS cannot be used for permanent engine replacement of a grandfathered or permit exempt engine or an engine that is not subject to emission limits.

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The permittee shall agree to pay fees based on the normal permit processing rate for review of information submitted to the Division in regard to any permanent engine replacement.

2.2 Portable Analyzer Testing

The permittee shall measure nitrogen oxide (NO_x) and carbon monoxide (CO) emissions in the exhaust from the replacement engine using a portable flue gas analyzer within seven (7) calendar days of commencing operation of the replacement engine.

All portable analyzer testing required by this permit shall be conducted using the Division's Portable Analyzer Monitoring Protocol (ver March 2006 or newer) as found on the Division's website at: http://www.cdphe.state.co.us/ap/down/portanalyzeproto.pdf

Results of the portable analyzer tests shall be used to monitor the compliance status of this unit. For comparison with an annual or short term emission limit, the results of the tests shall be converted to a lb/hr basis and multiplied by the allowable operating hours in the month or year (whichever applies) in order to monitor compliance. If a source is not limited in its hours of operation the test results will be multiplied by the maximum number of hours in the month or year (8760), whichever applies.

If the portable analyzer results indicate compliance with both the NO_X and CO emission limitations, in the absence of credible evidence to the contrary, the source may certify that the engine is in compliance with both the NO_X and CO emission limitations for the relevant time period.

Subject to the provisions of C.R.S. 25-7-123.1 and in the absence of credible evidence to the contrary, if the portable analyzer results fail to demonstrate compliance with either the NO_X or CO emission limitations, the engine will be considered to be out of compliance from the date of the portable analyzer test until a portable analyzer test indicates compliance with both the NO_X and CO emission limitations or until the engine is taken offline.

2.3 Additional Sources

The replacement of an existing engine with a new engine is viewed by the Division as the installation of a new emissions unit, not "routine replacement" of an existing unit. The AOS is therefore essentially an advanced construction permit review. The AOS cannot be used for additional new emission points for any site; an engine that is being installed as an entirely new emission point and not as part of an AOS-approved replacement of an existing onsite engine has to go through the appropriate Construction/Operating permitting process prior to installation.

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Table 1
Internal Combustion Engine Information for the AOS

Emission Point	Replacement Engine	Periodic Monitoring ¹	Stack Test?
S01	Exact Replacement	See Footnote 1	No
S02	Exact Replacement	See Footnote 1	No
S03	Exact Replacement	See Footnote 1	No
S04	Exact Replacement	See Footnote 1	No
S05	Exact Replacement	See Footnote 1	No

¹ All periodic monitoring requirements as set forth in Section II, Conditions 1.1 through 1.5 apply: monthly emission calculations; monthly fuel use and hours of operation; monthly millivolt readings; catalytic oxidizer parameter monitoring, quarterly portable monitoring; and MACT monitoring provisions.

3. Prevention of Significant Deterioration

This facility is not categorized as a major stationary source source (no single criteria pollutant emissions with a Potential to Emit of greater than 250 TPY) as of the issue date of this permit. The source is therefore not subject to the PSD review requirements of 40 CFR 52.21 (Colorado Regulation 3, Part D, Section VI).

Future modifications to this facility which are major in themselves will result in the application of the PSD review requirements. In addition, future modifications at this facility may result in the facility being classified as a major stationary source. Once that threshold is exceeded, future modifications at this facility resulting in a significant net emissions increase (see Colorado Regulation No. 3, Part D, Section II.A.27 and 44) for any pollutant as listed in Colorado Regulation No. 3, Part E, Section II.A.44 or a modification which is major by itself may result in the application of the PSD review requirements.

3.2 There are no other Operating Permits associated with this facility for purposes of determining applicability of Prevention of Significant Deterioration regulations.

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4. Accidental Release Prevention Program (112(r))

4.1 Based on the information provided by the applicant, this facility is not subject to the provisions of the Accidental Release Prevention Program (Section 112(r) of the Federal Clean Air Act).

5. Summary of Emission Units

5.1 The emissions units regulated by this permit are the following:

Emission Unit Number	AIRS Stack Number	Description	Pollution Control Device
S01	001	Caterpillar G3612 LE Engine E367, Serial Number 1YG00139, Rated at 3530 HP	Low-NO _x design Catalytic Oxidizer to control CO and HAP emissions
S02	TBD	Caterpillar G3612 LE Engine E368, Serial Number 1YG00138, Rated at 3530 HP	Low-NO _x design Catalytic Oxidizer to control CO and HAP emissions
S03	002	Waukesha L36GL Engine E371, Serial Number C-93955/1, Rated at 604 HP	Low-NO _x design
S04	TBD	Waukesha L36GL Engine E372, Serial Number L-93955/2, Rated at 604 HP	Low-NO _x design
S05	TBD	Caterpillar G3612 LE Engine E379, Serial Number, Rated at 3330 HP	Low-NOx design Catalytic Oxidizer to control CO emissions

6. Compliance Assurance Monitoring (CAM)

6.1 The following emission points at this facility use a control device to achieve compliance with an emission limitation or standard to which they are subject and have pre-control emissions that exceed or are equivalent to the major source threshold. They are therefore subject to the provisions of the CAM program as set forth in 40 CFR Part 64, as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV:

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None. S03 and S04 do not use add on control devices to meet an emission limit. S01 and S02 use catalytic oxidizers to control CO and HAP emissions. Pre-control CO emissions are less than 100 tons/year, therefore CAM does not apply to the S01 and S02 CO emission limits. Pre-control HAP (formaldehyde) emissions are equal or greater than 10 tons/year, however, controlled emissions are less than 10 tons/year. Thus CAM will apply to the S01 and S02 HAP limits at the time of the next permit renewal. S05 uses a catalytic oxidizer to control CO and HAP emissions. Pre-control emissions are less than 100 tons CO/year and 10/25 tons HAPs/year, therefore CAM does not apply to S05.

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SECTION II - Specific Permit Terms

1. S01, S02, and S05 - Caterpillar G3612 LE Engines E367, E368, and E379

	Permit		Compliance Fundament	Monitori	ng
Parameter	Condition Number	Limitation	Compliance Emission Factor	Method	Interval
Emission Limits	1.1	S01 and S02 (limit for each engine): NO _x : 25.7 tons/year VOC: 18.4 tons/year CO: 13.96 tons/year S05: NO _x : 22.6 tons/year VOC: 16.1 tons/year CO: 5.7 tons/year	S01 and S02: CO: 0.640 lb/mmBtu (uncontrolled – apply 80% for control) NO _x : 0.235 lb/mmBtu VOC: 0.54 grams/hp-hr S05: CO: 0.762 lb/mmBtu (uncontrolled – apply 93% for control) NO _x : 0.213 lb/mmBtu VOC: 0.152 lb/mmBtu	Recordkeeping & Calculation	Monthly
Natural Gas Consumption	1.2	S01 and S02: 220,000,000 scf/year (limit for each engine) S05: 193.4 mmscf/year		Recordkeeping	Monthly
Opacity	1.3.1	Not to exceed 20%, except as provided under 1.3.2, below		Fuel Restriction	Only Natural Gas
	1.3.2	Special Conditions - Not to exceed 30%, for a period or periods aggregating more than six (6) consecutive minutes in any 60 consecutive minutes			is Used as Fuel
Operation and Maintenance	1.4	Per Manufacturer		A/F Ratio Feedback	Continuous
				NO _x and CO Portable Monitoring Catalyst Parameters	Quarterly Monthly
MACT ("New" engines on site prior to syn minor permit issue date to be inserted)	1.5				

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S03 and S04 - Waukesha L36GL Engines E371 and E372

Parameter	Permit Condition Number	Limitation	Compliance Emission Factor	Monitori Method	ng Interval
Emission Limits	1.1	NO _x : 14.9 tons/year VOC: 7.5 tons/year CO: 15.3 tons/year (Totals for both)	CO: 0.796 lb/mmBtu a NO _x : 0.775 lb/mmBtu a VOC: 1.29 grams/hp-hr	Recordkeeping & Calculation	Monthly
Natural Gas Consumption	1.2	50,000,000 scf/year (total for both)		Recordkeeping	Monthly
Opacity	1.3.1	Not to exceed 20%, except as provided under 1.3.2, below		Fuel Restriction	Only Natural Gas
	1.3.2	Special Conditions - Not to exceed 30%, for a period or periods aggregating more than six (6) consecutive minutes in any 60 consecutive minutes			is Used as Fuel
Operation and Maintenance	1.4	Per Manufacturer		A/F Ratio Feedback	Continuous
				NO _x and CO Portable Analyzer	Quarterly
MACT ("New" engines on site prior to syn minor permit issue date to be inserted)	1.5	See Condition 1.5			

Facility-Wide HAP Emission Limits

	Permit			Mon	itoring
	Condition		Compliance Emission		
Parameter	Number	Limitation	Factor	Method	Interval

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Emission Limits	1.6	Any Single HAP: 8.0 tons/year Total HAPs: 13.0 tons/year	Formaldehyde: 0.0528 Ib/mmBtu Benzene: 0.00044 Ib/mmBtu Toluene: 0.000408 Ib/mmBtu Ethylbenzene: 0.0000397 lb/mmBtu Xylene: 0.000184 Ib/mmBtu Acrolein: 0.00514	Recordkeeping & Calculation Catalyst Parameters	Monthly
			lb/mmBtu		
			lb/mmBtu		
			Acetaldehyde: 0.00836		
			lb/mmBtu		
			PAH: 0.0000269 lb/mmBtu		

1.1 Emissions of air pollutants shall not exceed the limits listed above. Compliance with the annual limits shall be determined on a rolling (12) month total. By the end of each month a new twelve month total is calculated based on the previous twelve months' data. The permit holder shall calculate monthly emissions using the above listed lb/mmBtu emissions factors and actual natural gas usage (except for VOC - the grams/hp-hr factor and hours of operation will be used), and keep a compliance record on site for Division review. (Construction Permits 98DO184 and 98DO185, SO5 limits incorporated directly into this permit in accordance with Section I, Condition 1.3 of this permit)

Emission Calculations

Except as provided below, the emission factors listed above have been approved by the Division and shall be used to calculate emissions from this engine as follows:

Monthly emissions shall be calculated by the end of the subsequent month using the above emission factor, the monthly fuel consumption and the lower heating value of the fuel in the equation below:

Lbs/mo = EF (lbs/mmBtu) x fuel use (mmSCF/mo) x lower heating value of fuel (mmBtu/mmSCF)

A twelve month rolling total of emissions will be maintained in order to monitor compliance with the annual emission limitation. Each month, a new twelve month total shall be calculated using the previous twelve months data.

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If the results of the portable analyzer testing conducted under the provisions of condition 1.4 show that either the NO_X or CO emission rates/factors are greater than those listed above, and in the absence of subsequent testing results to the contrary (as approved by the Division), the permittee shall apply for a modification to this permit to reflect, at a minimum, the higher emission rates/factors within 60 days of the completion of the test.

Fuel Sampling

Btu content of the natural gas used to fuel these engines shall be determined semi-annually using appropriate ASTM methods or equivalent, if approved in advance by the Division. Calculation of monthly emissions shall be based on the most recent Btu analysis. The Btu content shall be based on the lower heating value of the fuel.

APEN Reporting and Fees

Records of the monthly and annual hours of operation shall be maintained and made available for inspection upon request.

Annual emissions for APEN reporting and fee purposes shall be estimated using the emission factors listed above and the actual fuel use and hours of operation.

1.2 Consumption of natural gas shall not exceed the limits listed above. (Construction Permits 98DO184 and 98DO185, SO5 limit incorporated directly into this permit in accordance with Section I, Condition 1.3 of this permit)

Compliance with the yearly natural gas consumption limit shall be determined on a rolling twelve (12) month total. Monthly records of the actual natural gas consumption rate shall be maintained by the applicant and made available to the Division for inspection upon request.

- 1.3 This source is subject to the following opacity requirements.
 - 1.3.1 Except as provided in Condition 1.3.2 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity. This standard is based on 24 consecutive opacity readings taken at 15-second intervals for six minutes. The approved reference test method for visible emissions measurement on which these standards are based is EPA Method 9 (40 CFR, Part 60, Appendix A (July, 1992)) in all subsections of Regulation No. 1, Section II.A. (Colorado Regulation No. 1, II.A.1).
 - 1.3.2 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from the building of a new fire, cleaning of fire boxes, soot blowing, start-up, any process modification, or adjustment or occasional cleaning of control equipment, which is in excess of 30% opacity for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes. (Colorado Regulation No. 1, II.A.4)

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Absent credible evidence to the contrary, compliance with these opacity limits shall be assumed since only natural gas is used as fuel.

1.4 The engines and associated oxidation catalysts shall be operated and maintained in accordance with manufacturer's recommendations at all times, including periods of start-up, shutdown, and malfunction.

Air /Fuel Ratio Monitoring

A system for relegating the air/fuel ratio, based on the btu content of the natural gas, shall be operated at all times, in accordance with manufacturer's recommendations.

Catalytic Oxidizer Parameter Monitoring

Pressure drop across the catalyst and the catalyst inlet gas temperature shall be monitored and recorded monthly to assess engine and catalytic oxidizer operating condition. The pressure drop and inlet temperature shall be within the manufacturer's recommended ranges. During those months when portable monitoring is scheduled, these parameters shall be monitored and recorded during the portable monitoring event. If the pressure drop or temperature is outside of the manufacturer's recommended ranges, the source shall perform any necessary maintenance or adjustments. Records of the data and any maintenance or adjustments performed shall be maintained for Division inspection upon request.

Portable Monitoring

Emission measurements of nitrogen oxides (NO_X) and carbon monoxide (CO) shall be conducted quarterly using a portable flue gas analyzer. At least one calendar month shall separate the quarterly tests. Note that if the engine is operated for less than 100 hrs in any quarterly period, then the portable monitoring requirements do not apply.

All portable analyzer testing required by this permit shall be conducted using the Division's Portable Analyzer Monitoring Protocol (ver March 2006 or newer) as found on the Division's website at: http://www.cdphe.state.co.us/ap/down/portanalyzeproto.pdf

Results of the portable analyzer tests shall be used to monitor the compliance status of this unit. For comparison with an annual or short term emission limit, the results of the tests shall be converted to a lb/hr basis and multiplied by the allowable operating hours in the month or year (whichever applies) in order to monitor compliance. If a source is not limited in its hours of operation the test results will be multiplied by the maximum number of hours in the month or year (8760), whichever applies.

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If the portable analyzer results indicate compliance with both the NO_X and CO emission limitations, in the absence of credible evidence to the contrary, the source may certify that the engine is in compliance with both the NO_X and CO emission limitations for the relevant time period.

Subject to the provisions of C.R.S. 25-7-123.1 and in the absence of credible evidence to the contrary, if the portable analyzer results fail to demonstrate compliance with either the NO_X or CO emission limitations, the engine will be considered to be out of compliance from the date of the portable analyzer test until a portable analyzer test indicates compliance with both the NO_X and CO emission limitations or until the engine is taken offline.

For comparison with the emission rates/factors, the emission rates/factors determined by the portable analyzer tests and approved by the Division shall be converted to the same units as the emission rates/factors in the permit. If the portable analyzer tests shows that either the NO_X or CO emission rates/factors are greater than the relevant ones set forth in the permit, and in the absence of subsequent testing results to the contrary (as approved by the Division), the permittee shall apply for a modification to this permit to reflect, at a minimum, the higher emission rate/factor within 60 days of the completion of the test.

Results of all tests conducted shall be kept on site and made available to the Division upon request.

1.5 "New" engines located at this site prior to *issue date of syn minor permit to be inserted*, are subject to 40 CFR Part 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

Emission and Operating Limitations (63.6600)

1.5.1 If you own or operate a new or reconstructed 2SLB or 4SLB stationary RICE or a new or reconstructed CI stationary CI stationary RICE located at a major source of HAP emissions, you must comply with the emission limitations in Table 2a of Subpart ZZZZ and the operating limitations in Table 2b of Subpart ZZZZ. (63.6600(b))

General Requirements (63.6605)

- 1.5.2 You must be in compliance with the emission limitations and operating limitations in this subpart that apply to you at all times, except during periods of startup, shutdown, and malfunction. (63.6605(a))
- 1.5.3 If you must comply with emission limitations and operating limitations, you must operate and maintain your stationary RICE, including air pollution control and monitoring equipment, in a

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manner consistent with good air pollution control practices for minimizing emissions at all times, including during startup, shutdown, and malfunction. (63.6605(b))

Testing and Initial Compliance Requirements (63.6610 through 6630)

Initial Performance Tests or Other Initial Compliance Demonstration Dates

- 1.5.4 You must conduct the initial performance test or other initial compliance demonstrations in Table 4 of Subpart ZZZZ that apply to you within 180 days after the compliance date that is specified for your stationary RICE in 63.6595 and according to the provisions in 63.7(a)(2). (63.6610(a))
- 1.5.5 An owner or operator is not required to conduct an initial performance test on units for which a performance test has been previously conducted, but the test must meet all of the conditions described in 63.6610(d)(1) through (5).

Subsequent Performance Tests

1.5.6 If you must comply with the emission limitations and operating limitations, you must conduct subsequent performance tests as specified in Table 3 of Subpart ZZZZ. (63.6615)

Performance Tests and Other Procedures

- 1.5.7 You must conduct each performance test in Tables 3 and 4 of Subpart ZZZZ that applies to you. (63.6620(a))
- 1.5.8 Each performance test must be conducted according to the requirements in 63.7(e)(1) and under the specific conditions that Subpart ZZZZ specifies in Table 4. The test must be conducted within plus or minus 10 percent of 100 percent load. (63.6620(b))
- 1.5.9 You may not conduct performance tests during periods of startup, shutdown, or malfunction, as specified in 63.7(e)(1). (63.6620(c))
- 1.5.10 You must conduct three separate test runs for each performance test required in 63.6620, as specified in 63.7(e)(3). Each test run must last at least 1 hour. (63.6620(d))
- 1.5.11 You must use Equation 1 of 63.6620 to determine compliance with the percent reduction requirement. (63.6620(e))

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- 1.5.12 If you comply with the emission limitation to reduce CO and you are not using an oxidation catalyst, if you comply with the emission limitations to reduce formaldehyde and you are not using NSCR, or if you comply with the emission limitation to limit the concentration of formaldehyde in the stationary RICE exhaust and you are not using an oxidation catalyst or NSCR, you must petition the Division for operating limitations to be established during the initial performance test and continuously monitored thereafter; or for approval of no operating limitations. You must not conduct the initial performance test until after the petition has been approved by the Division. (63.6220(f))
- 1.5.13 If you petition the Division for approval of operating limitations, your petition must include the information described in 63.6220(g)(1) through (5).
- 1.5.14 If you petition the Division for approval of no operating limitations, your petition must include the information described in 63.6220(h)(1) through (7).
- 1.5.15 The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status and must include the information listed in 63.6220(i).

Monitoring, Installation, and Maintenance Requirements

- 1.5.16 If you elect to install a CEMS as specified in Table 5 of Subpart ZZZZ, you must install, operate, and maintain a CEMS to monitor CO and either oxygen or CO₂ at both the inlet and the outlet of the control device according to the requirements in 63.6625(a)(1) through (4).
- 1.5.17 If you are required to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of Subpart ZZZZ, you must install, operate, and maintain each each CPMS according to the requirements in 63.8. (63.6625(b))

Initial Compliance with the Emission Limitations and Operating Limitations Demonstration

- 1.5.18 You must demonstrate initial compliance with each emission and operating limitation that applies to you according to Table 5 of Subpart ZZZZ. (63.6630(a))
- 1.5.19 During the initial performance test, you must establish each operating limitation in Tables 1b and 2b of Subpart ZZZZ that applies to you. (63.6630(b))

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1.5.20 You must submit the Notification of Compliance Status containing the results of the initial compliance demonstration according to the requirements in 63.6645. (63.6630(c))

Continuous Compliance Requirements (63.6635 and 63.6640)

Monitoring and Collecting Data to Demonstrate Continuous Compliance

- 1.5.21 If you must comply with emission and operating limitations, you must monitor and collect data according to 63.6635. (63.6635(a))
- 1.5.22 Except for monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), you must monitor continuously at all times that the stationary RICE is operating. (63.6635(b))
- 1.5.23 You may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. You must, however, use all the valid data collected during all other periods. (63.6635(c))

Demonstrating Continuous Compliance with the Emission Limitations and Operating Limitiations

- 1.5.24 You must demonstrate continuous compliance with each emission limitation and operating limitation in Tables 2a and 2b of Subpart ZZZZ that apply to you according to the methods specified in Table 6 of Subpart ZZZZ. (63.6640(a))
- 1.5.25 You must report each instance in which you did not meet each emission limitation or operating limitation in Tables 2a and 2b of Subpart ZZZZ that apply to you. These instances are deviations from the emission and operating limitations in Subpart ZZZZ. These deviations must be reported according to the requirements in 63.6650. If you change your catalyst, you must reestablish the values of the operating parameters measured during the initial performance test. When you reestablish the values of your operating parameters, you must also conduct a performance test to demonstrate that you are meeting the required emission limitation applicable to your stationary RICE. (63.6640(b))
- 1.5.26 During periods of startup, shutdown, and malfunction, you must operate in accordance with your startup, shutdown, and malfunction plan. (63.6640(c))

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- 1.5.27 Consistent with 63.6(e) and 63.7(e)(1), deviations from the emission or operating limitations that occur during a period of startup, shutdown, or malfunction are not violations if you demonstrate to the Division's satisfaction that you were operating in accordance with the startup, shutdown, and malfunction plan. For new, reconstructed, and rebuilt stationary RICE, deviations from the emission or operating limitations that occur during the first 200 hours of operation from engine startup (engine burn-in period) are not violations. Rebuilt stationary RICE means a stationary RICE that has been rebuilt as that term is defined in 40 CFR 94.11(a). (63.6640(d))
- 1.5.28 You must also report each instance in which you did not meet the requirements in Table 8 of Subpart ZZZZ that apply to you. (63.6640(e))

Notifications, Reports, and Records (63.6645 through 63.6660)

Notifications

- 1.5.29 You must submit all of the notifications in 63.7(b) and (c), 63.8(e), (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified. (63.6645(a))
- 1.5.30 If you start up your new or reconstructed stationary RICE on or after August 16, 2004, you must submit an Initial Notification not later than 120 days after you become subject to Subpart ZZZZ. (63.6645(c))
- 1.5.31 If you are required to conduct a performance test, you must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in 63.7(b)(1). (63.6645(e))
- 1.5.32 If you are required to conduct a performance test or other initial compliance demonstration as specified in Tables 4 and 5 of Subpart ZZZZ, you must submit a Notification of Compliance Status according to 63.9(h)(2)(ii) and by the dates specified in 63.6645(f).

Reports

- 1.5.33 You must submit each report in Table 7 of Subpart ZZZZ that applies to you. (63.6650(a))
- 1.5.34 Unless the Division has approved a different schedule for submission of reports under 63.10(a), you must submit each report by the date in Table 7 of Subpart ZZZZ and according to the requirements in 63.6650(b)(1) through (5).
- 1.5.35 The Compliance report must contain the information in 63.6650(c)(1) through (6).

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- 1.5.36 For each deviation from an emission or operating limitation that occurs for a stationary RICE where you are not using a CMS to comply with the emission or operating limitations in Subpart ZZZZ, the Compliance report must contain the information in 63.6650(c)(1) through (4) and the information in 63.6650(d)(1) and (2).
- 1.5.37 For each deviation from an emission or operating limitation occurring at a stationary RICE where you are using a CMS to comply with the emission and operating limitations in Subpart ZZZZ, you must include the information in 63.6650(c)(1) through (4) and 63.6650(e)(1) through (12).
- 1.5.38 You must report all deviations as defined in Subpart ZZZZ in the semiannual monitoring report required by this permit (see Appendix B). If you submit a Compliance report pursuant to Table 7 of Subpart ZZZZ along with, or as part of, the semiannual monitoring report required by this permit, and the Compliance report includes all required information concerning deviations from any emission or operating limitation in Subpart ZZZZ, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations form permit requirements to the Division. (63.6650(f))

Records

- 1.5.39 If you must comply with the emission and operating limitations, you must keep the records described in 63.6655(a)(1) through (a)(3), (b)(1) through (b)(3) and (c).
- 1.5.40 You must keep the records required in Table 6 of Subpart ZZZZ to show continuous compliance with each emission or operating limitation that applies to you. (63.6655(d))

Records Form and Retention Time

- 1.5.41 Your records must be in a form suitable and readily available for expeditious review according to 63.10(b)(1). (63.6660(a))
- 1.5.42 As specified in 63.(10)(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report or record. (63.6660(b))
- 1.5.43 You must keep each record readily accessible in hard copy or electronic form on-site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action,

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report, or record, according to 634.10(b)(1). You can keep the records off-site for the remaining three years. (63.6660(c))

General Provisions (63.6665)

- 1.5.44 Table 8 of Subpart ZZZZ shows which parts of the General Provisions in 63.1 through 63.15 apply to you. (63.6665)
- 1.6 Emissions of hazardous air pollutants shall not exceed the limits listed above. Compliance with the annual limits shall be determined on a rolling (12) month total. By the end of each month a new twelve month total is calculated based on the previous twelve months' data. The permit holder shall calculate monthly emissions using the above listed lb/mmBtu emissions factors and actual fuel usage and keep a compliance record on site for Division review. (Incorporated directly into this permit in accordance with Section I, Condition 1.3 of this permit)

Fuel Sampling

Btu content of the natural gas used to fuel these engines shall be determined semi-annually using appropriate ASTM methods or equivalent, if approved in advance by the Division. Calculation of monthly emissions shall be based on the most recent Btu analysis. The Btu content shall be based on the lower heating value of the fuel.

APEN Reporting and Fees

Records of the monthly and annual hours of operation shall be maintained and made available for inspection upon request.

Annual emissions for APEN reporting and fee purposes shall be estimated using the emission factors listed above and the actual fuel use and hours of operation.

Catalyst Parameter Monitoring

Monitoring shall be conducted in accordance with the requirements set forth in Section II, Condition 1.4.

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SECTION III - Permit Shield

Regulation No. 3, 5 CCR 1001-5, Part C, §§ I.A.4, V.D. & XIII.B; § 25-7-114.4(3)(a), C.R.S.

1. Specific Non-Applicable Requirements

Based upon the information available to the Division and supplied by the applicant, the following parameters and requirements have been specifically identified as non-applicable to the facility to which this permit has been issued. This shield does not protect the source from any violations that occurred prior to or at the time of permit issuance. In addition, this shield does not protect the source from any violations that occur as a result of any modification or reconstruction on which construction commenced prior to permit issuance.

Emission Unit Description & Number	Applicable Requirement	Justification
Facility-Wide	40 CFR Part 60, Subpart K, as adopted by reference in Colorado Regulation No. 6, Part A	No petroleum liquids are stored on-site.
	40 CFR Part 60, Subpart Ka, as adopted by reference in Colorado Regulation No. 6, Part A	No tanks were installed on or after the effective date of this subpart.
	40 CFR Part 60, Subpart Kb, as adopted by reference in Colorado Regulation No. 6, Part A (except for size data recordkeeping requirements)	All tanks have design capacities less than applicable thresholds.
	40 CFR Part 60, Subpart KKK, as adopted by reference in Colorado Regulation No. 6, Part A	There is no natural gas liquid extraction unit located at the Dolores facility. Any liquids recovered on-site will be done so through gravimetric separation processes typical of inlet gas separation implemented at most compressor stations. The compressors associated with the engines at this facility are not located at an On-Shore Natural Gas Liquids Extraction Plant.
	40 CFR Part 63, Subpart B, as adopted by reference in Colorado Regulation No. 8, Part E, V.	Subpart B applies to modifications at major sources not covered by a MACT standard. The EPA has promulgated MACT standards for this facility group, therefore Subpart B does not apply to this facility.
	40 CFR Part 63, Subparts H and HHH, as adopted by reference in Colorado Regulation No. 8, Part E	No dehydration units, condensate storage tanks with flashing potential, or ancillary equipment in VHAP service exist at this facility.
	40 CFR Part 68 - 112(r) Accidental Release Provisions	No listed constituents are stored, produced at, or processed by the Dolores facility above threshold quantities.

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2. General Conditions

Compliance with this Operating Permit shall be deemed compliance with all applicable requirements specifically identified in the permit and other requirements specifically identified in the permit as not applicable to the source. This permit shield shall not alter or affect the following:

- 2.1 The provisions of §§ 25-7-112 and 25-7-113, CHRIS, or § 303 of the federal act, concerning enforcement in cases of emergency;
- 2.2 The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- 2.3 The applicable requirements of the federal Acid Rain Program, consistent with § 408(a) of the federal act;
- 2.4 The ability of the Air Pollution Control Division to obtain information from a source pursuant to § 25-7-111(2)(I), CHRIS, or the ability of the Administrator to obtain information pursuant to § 114 of the federal act;
- 2.5 The ability of the Air Pollution Control Division to reopen the Operating Permit for cause pursuant to Regulation No. 3, Part C, § XIII.
- 2.6 Sources are not shielded from terms and conditions that become applicable to the source subsequent to permit issuance.

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SECTION IV - General Permit Conditions

1. Administrative Changes

Regulation No. 3, 5 CCR 1001-5, Part A, § III.

The permittee shall submit an application for an administrative permit amendment to the Division for those permit changes that are described in Regulation No. 3, Part A, \Box I.B.1. The permittee may immediately make the change upon submission of the application to the Division.

2. Certification Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.9., V.C.16.a.& e. and V.C.17.

- a. Any application, report, document and compliance certification submitted to the Air Pollution Control Division pursuant to Regulation No. 3 or the Operating Permit shall contain a certification by a responsible official of the truth, accuracy and completeness of such form, report or certification stating that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
- b. All compliance certifications for terms and conditions in the Operating Permit shall be submitted to the Air Pollution Control Division at least annually unless a more frequent period is specified in the applicable requirement or by the Division in the Operating Permit.
- c. Compliance certifications shall contain:
 - (i) the identification of each permit term and condition that is the basis of the certification:
 - (ii) the compliance status of the source;
 - (iii) whether compliance was continuous or intermittent;
 - (iv) method(s) used for determining the compliance status of the source, currently and over the reporting period; and
 - (v) such other facts as the Air Pollution Control Division may require to determine the compliance status of the source.
- d. All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.
- e. If the permittee is required to develop and register a risk management plan pursuant to § 112(r) of the federal act, the permittee shall certify its compliance with that requirement; the Operating Permit shall not incorporate the contents of the risk management plan as a permit term or condition.

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3. Common Provisions

Common Provisions Regulation, 5 CCR 1001-2 §§ II.A., II.B., II.C., II., E., II.F., II.I, and II.J

a. To Control Emissions Leaving Colorado

When emissions generated from sources in Colorado cross the State boundary line, such emissions shall not cause the air quality standards of the receiving State to be exceeded, provided reciprocal action is taken by the receiving State.

b. Emission Monitoring Requirements

The Division may require owners or operators of stationary air pollution sources to install, maintain, and use instrumentation to monitor and record emission data as a basis for periodic reports to the Division.

c. Performance Testing

The owner or operator of any air pollution source shall, upon request of the Division, conduct performance test(s) and furnish the Division a written report of the results of such test(s) in order to determine compliance with applicable emission control regulations.

Performance test(s) shall be conducted and the data reduced in accordance with the applicable reference test methods unless the Division:

- (i) specifies or approves, in specific cases, the use of a test method with minor changes in methodology;
- (ii) approves the use of an equivalent method;
- (iii) approves the use of an alternative method the results of which the Division has determined to be adequate for indicating where a specific source is in compliance; or
- (iv) waives the requirement for performance test(s) because the owner or operator of a source has demonstrated by other means to the Division's satisfaction that the affected facility is in compliance with the standard. Nothing in this paragraph shall be construed to abrogate the Commission's or Division's authority to require testing under the Colorado Revised Statutes, Title 25, Article 7, and pursuant to regulations promulgated by the Commission.

Compliance test(s) shall be conducted under such conditions as the Division shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Division such records as may be necessary to determine the conditions of the performance test(s). Operations during period of startup, shutdown, and malfunction shall not constitute representative conditions of performance test(s) unless otherwise specified in the applicable standard.

The owner or operator of an affected facility shall provide the Division thirty days prior notice of the performance test to afford the Division the opportunity to have an observer present. The Division may waive the thirty day notice requirement provided that arrangements satisfactory to the Division are made for earlier testing.

The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

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- (i) Sampling ports adequate for test methods applicable to such facility;
- (ii) Safe sampling platform(s);
- (iii) Safe access to sampling platform(s); and
- (iv) Utilities for sampling and testing equipment.

Each performance test shall consist of at least three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic mean of results of at least three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances beyond the owner or operator's control, compliance may, upon the Division's approval, be determined using the arithmetic mean of the results of the two other runs.

Nothing in this section shall abrogate the Division's authority to conduct its own performance test(s) if so warranted.

d. Upset Conditions and Breakdowns

Upset conditions, as defined, shall not be deemed to be in violation of the Colorado regulations, provided that the Division is notified as soon as possible, but no later than two (2) hours after the start of the next working day, followed by a written notice to the Division explaining the cause of the occurrence and that proper action has been or is being taken to correct the conditions causing the violation and to prevent such excess emission in the future.

e. Circumvention Clause

A person shall not build, erect, install, or use any article, machine, equipment, condition, or any contrivance, the use of which, without resulting in a reduction in the total release of air pollutants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of this regulation. No person shall circumvent this regulation by using more openings than is considered normal practice by the industry or activity in question.

f. Compliance Certifications

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in the Colorado State Implementation Plan, nothing in the Colorado State Implementation Plan shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. Evidence that has the effect of making any relevant standard or permit term more stringent shall not be credible for proving a violation of the standard or permit term.

When compliance or non-compliance is demonstrated by a test or procedure provided by permit or other applicable requirement, the owner or operator shall be presumed to be in compliance or non-compliance unless other relevant credible evidence overcomes that presumption.

g. Affirmative Defense Provision for Excess Emissions During Startup and Shutdown

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An affirmative defense is provided to owners and operators for civil penalty actions for excess emissions during periods of startup and shutdown. To establish the affirmative defense and to be relieved of a civil penalty in any action to enforce an applicable requirement, the owner or operator of the facility must meet the notification requirements below in a timely manner and prove by a preponderance of the evidence that:

- (i) The periods of excess emissions that occurred during startup and shutdown were short and infrequent and could not have been prevented through careful planning and design;
- (ii) The excess emissions were not part of a recurring pattern indicative of inadequate design, operation or maintenance;
- (iii) If the excess emissions were caused by a bypass (an intentional diversion of control equipment), then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (iv) The frequency and duration of operation in startup and shutdown periods were minimized to the maximum extent practicable;
- (v) All possible steps were taken to minimize the impact of excess emissions on ambient air quality;
- (vi) All emissions monitoring systems were kept in operation (if at all possible);
- (vii) The owner or operator's actions during the period of excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence; and.
- (viii) At all times, the facility was operated in a manner consistent with good practices for minimizing emissions. This subparagraph is intended solely to be a factor in determining whether an affirmative defense is available to an owner or operator, and shall not constitute an additional applicable requirement.

The owner or operator of the facility experiencing excess emissions during startup and shutdown shall notify the Division verbally as soon as possible, but no later than two (2) hours after the start of the next working day, and shall submit written quarterly notification following the initial occurrence of the excess emissions. The notification shall address the criteria set forth above.

The Affirmative Defense Provision contained in this section shall not be available to claims for injunctive relief.

The Affirmative Defense Provision does not apply to State Implementation Plan provisions or other requirements that derive from new source performance standards or national emissions standards for hazardous air pollutants, or any other federally enforceable performance standard or emission limit with an averaging time greater than twenty-four hours. In addition, an affirmative defense cannot be used by a single source or small group of sources where the excess emissions have the potential to cause an exceedance of the ambient air quality standards or Prevention of Significant Deterioration (PSD) increments.

In making any determination whether a source established an affirmative defense, the Division shall consider the information within the notification required above and any other information the Division deems necessary, which may include, but is not limited to, physical inspection of the facility and review of documentation pertaining to the maintenance and operation of process and air pollution control equipment.

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4. Compliance Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, D III.C.9., V.C.11. & 16.d. and D 25-7-122.1(2), C.R.S.

- a. The permittee must comply with all conditions of the Operating Permit. Any permit noncompliance relating to federally-enforceable terms or conditions constitutes a violation of the federal act, as well as the state act and Regulation No. 3. Any permit noncompliance relating to state-only terms or conditions constitutes a violation of the state act and Regulation No. 3, shall be enforceable pursuant to state law, and shall not be enforceable by citizens under § 304 of the federal act. Any such violation of the federal act, the state act or regulations implementing either statute is grounds for enforcement action, for permit termination, revocation and reissuance or modification or for denial of a permit renewal application.
- b. It shall not be a defense for a permittee in an enforcement action or a consideration in favor of a permittee in a permit termination, revocation or modification action or action denying a permit renewal application that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- c. The permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of any request by the permittee for a permit modification, revocation and reissuance, or termination, or any notification of planned changes or anticipated noncompliance does not stay any permit condition, except as provided in §§ X. and XI. of Regulation No. 3, Part C.
- d. The permittee shall furnish to the Air Pollution Control Division, within a reasonable time as specified by the Division, any information that the Division may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Division copies of records required to be kept by the permittee, including information claimed to be confidential. Any information subject to a claim of confidentiality shall be specifically identified and submitted separately from information not subject to the claim.
- e. Any schedule for compliance for applicable requirements with which the source is not in compliance at the time of permit issuance shall be supplemental, and shall not sanction noncompliance with, the applicable requirements on which it is based.
- f. For any compliance schedule for applicable requirements with which the source is not in compliance at the time of permit issuance, the permittee shall submit, at least every 6 months unless a more frequent period is specified in the applicable requirement or by the Air Pollution Control Division, progress reports which contain the following:
 - (i) dates for achieving the activities, milestones, or compliance required in the schedule for compliance, and dates when such activities, milestones, or compliance were achieved; and
 - (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.
- g. The permittee shall not knowingly falsify, tamper with, or render inaccurate any monitoring device or method required to be maintained or followed under the terms and conditions of the Operating Permit.

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5. Emergency Provisions

Regulation No. 3, 5 CCR 1001-5, Part C, VII.

An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed the technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. "Emergency" does not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. An emergency constitutes an affirmative defense to an enforcement action brought for noncompliance with a technology-based emission limitation if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a. an emergency occurred and that the permittee can identify the cause(s) of the emergency;
- b. the permitted facility was at the time being properly operated;
- c. during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- d. the permittee submitted oral notice of the emergency to the Air Pollution Control Division no later than noon of the next working day following the emergency, and followed by written notice within one month of the time when emissions limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

This emergency provision is in addition to any emergency or upset provision contained in any applicable requirement.

6. Emission Standards for Asbestos

Regulation No. 8, 5 CCR 1001-10, Part B

The permittee shall not conduct any asbestos abatement activities except in accordance with the provisions of Regulation No. 8, Part B, "emission standards for asbestos."

7. Emissions Trading, Marketable Permits, Economic Incentives

Regulation No. 3, 5 CCR 1001-5, Part C, V.C.13.

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are specifically provided for in the permit.

8. Fee Payment

C.R.S. §§ 25-7-114.1(6) and 25-7-114.7

a. The permittee shall pay an annual emissions fee in accordance with the provisions of C.R.S. § 25-7-114.7. A 1% per month late payment fee shall be assessed against any invoice amounts not paid in full on the 91st day after the date of invoice, unless a permittee has filed a timely protest to the invoice amount.

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- b. The permittee shall pay a permit processing fee in accordance with the provisions of C.R.S. § 25-7-114.7. If the Division estimates that processing of the permit will take more than 30 hours, it will notify the permittee of its estimate of what the actual charges may be prior to commencing any work exceeding the 30 hour limit.
- c. The permittee shall pay an APEN fee in accordance with the provisions of C.R.S. § 25-7-114.1(6) for each APEN or revised APEN filed.

9. Fugitive Particulate Emissions

Regulation No. 1, 5 CCR 1001-3, III.D.1.

The permittee shall employ such control measures and operating procedures as are necessary to minimize fugitive particulate emissions into the atmosphere, in accordance with the provisions of Regulation No. 1, [] III.D.1.

10. Inspection and Entry

Regulation No. 3, 5 CCR 1001-5, Part C, V.C.16.b.

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Air Pollution Control Division, or any authorized representative, to perform the following:

- a. enter upon the permittee's premises where an Operating Permit source is located, or emissions-related activity is conducted, or where records must be kept under the terms of the permit;
- b. have access to, and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- c. inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the Operating Permit;
- d. sample or monitor at reasonable times, for the purposes of assuring compliance with the Operating Permit or applicable requirements, any substances or parameters.

11. Minor Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, $\square\square$ X. & XI.

The permittee shall submit an application for a minor permit modification before making the change requested in the application. The permit shield shall not extend to minor permit modifications.

12. New Source Review

Regulation No. 3, 5 CCR 1001-5, Part B

The permittee shall not commence construction or modification of a source required to be reviewed under the New Source Review provisions of Regulation No. 3, Part B, without first receiving a construction permit.

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13. No Property Rights Conveyed

Regulation No. 3, 5 CCR 1001-5, Part C, UV.C.11.d.

This permit does not convey any property rights of any sort, or any exclusive privilege.

14. Odor

Regulation No. 2, 5 CCR 1001-4, Part A

As a matter of state law only, the permittee shall comply with the provisions of Regulation No. 2 concerning odorous emissions.

15. Off-Permit Changes to the Source

Regulation No. 3, 5 CCR 1001-5, Part C, XII.B.

The permittee shall record any off-permit change to the source that causes the emissions of a regulated pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from the change, including any other data necessary to show compliance with applicable ambient air quality standards. The permittee shall provide contemporaneous notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit . The permit shield shall not apply to any off-permit change.

16. Opacity

Regulation No. 1, 5 CCR 1001-3, [I] I., II.

The permittee shall comply with the opacity emissions limitation set forth in Regulation No. 1, \square I.-II.

17. Open Burning

Regulation No. 9, 5 CCR 1001-11

The permittee shall obtain a permit from the Division for any regulated open burning activities in accordance with provisions of Regulation No. 9.

18. Ozone Depleting Compounds

Regulation No. 15, 5 CCR 1001-17

The permittee shall comply with the provisions of Regulation No. 15 concerning emissions of ozone depleting compounds. Sections I., II.C., II.D., III. IV., and V. of Regulation No. 15 shall be enforced as a matter of state law only.

19. Permit Expiration and Renewal

Regulation No. 3, 5 CCR 1001-5, Part C, III III.B.6., IV.C., V.C.2.

a. The permit term shall be five (5) years. The permit shall expire at the end of its term. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted.

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b. Applications for renewal shall be submitted at least twelve months, but not more than 18 months, prior to the expiration of the Operating Permit. An application for permit renewal may address only those portions of the permit that require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. A copy of any materials incorporated by reference must be included with the application.

20. Portable Sources

Regulation No. 3, 5 CCR 1001-5, Part C, II.D.

Portable Source permittees shall notify the Air Pollution Control Division at least 10 days in advance of each change in location.

21. Prompt Deviation Reporting

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.7.b.

The permittee shall promptly report any deviation from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken.

"Prompt" is defined as follows:

- a. Any definition of "prompt" or a specific timeframe for reporting deviations provided in an underlying applicable requirement as identified in this permit; or
- b. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:
 - i. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report shall be made within 24 hours of the occurrence;
 - ii. For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continue for more than two hours in excess of permit requirements, the report shall be made within 48 hours; and
 - iii. For all other deviations from permit requirements, the report shall be submitted every six (6) months, except as otherwise specified by the Division in the permit in accordance with paragraph 22.d. below.
- c. If any of the conditions in paragraphs b.i or b.ii above are met, the source shall notify the Division by telephone (303-692-3155) or facsimile (303-782-0278) based on the timetables listed above. [Explanatory note: Notification by telephone or facsimile must specify that this notification is a deviation report for an Operating Permit.] A written notice, certified consistent with General Condition 2.a. above (Certification Requirements), shall be submitted within 10 working days of the occurrence. All deviations reported under this section shall also be identified in the 6-month report required above.

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"Prompt reporting" does not constitute an exception to the requirements of "Emergency Provisions" for the purpose of avoiding enforcement actions.

22. Record Keeping and Reporting Requirements

Regulation No. 3, 5 CCR 1001-5, Part A, I II.; Part C, II V.C.6., V.C.7.

- a. Unless otherwise provided in the source specific conditions of this Operating Permit, the permittee shall maintain compliance monitoring records that include the following information:
 - (i) date, place as defined in the Operating Permit, and time of sampling or measurements;
 - (ii) date(s) on which analyses were performed;
 - (iii) the company or entity that performed the analysis;
 - (iv) the analytical techniques or methods used;
 - (v) the results of such analysis; and
 - (vi) the operating conditions at the time of sampling or measurement.
- b. The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report or application. Support information, for this purpose, includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Operating Permit. With prior approval of the Air Pollution Control Division, the permittee may maintain any of the above records in a computerized form.
- c. Permittees must retain records of all required monitoring data and support information for the most recent twelve (12) month period, as well as compliance certifications for the past five (5) years on-site at all times. A permittee shall make available for the Air Pollution Control Division's review all other records of required monitoring data and support information required to be retained by the permittee upon 48 hours advance notice by the Division.
- d. The permittee shall submit to the Air Pollution Control Division all reports of any required monitoring at least every six (6) months, unless an applicable requirement, the compliance assurance monitoring rule, or the Division requires submission on a more frequent basis. All instances of deviations from any permit requirements must be clearly identified in such reports.
- e. The permittee shall file an Air Pollutant Emissions Notice ("APEN") prior to constructing, modifying, or altering any facility, process, activity which constitutes a stationary source from which air pollutants are or are to be emitted, unless such source is exempt from the APEN filing requirements of Regulation No. 3, Part A, II.D. A revised APEN shall be filed annually whenever a significant change in emissions, as defined in Regulation No. 3, Part A, II.C.2., occurs; whenever there is a change in owner or operator of any facility, process, or activity; whenever new control equipment is installed; whenever a different type of control equipment replaces an existing type of control equipment; whenever a permit limitation must be modified; or before the APEN expires. An APEN is valid for a period of five years. The five-year period recommences when a revised APEN is received by the Air Pollution Control Division. Revised APENs shall be submitted no later than 30 days before the five-year term expires. Permittees submitting

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23. Reopenings for Cause

Regulation No. 3, 5 CCR 1001-5, Part C, XIII.

- a. The Air Pollution Control Division shall reopen, revise, and reissue Operating Permits; permit reopenings and reissuance shall be processed using the procedures set forth in Regulation No. 3, Part C, § III., except that proceedings to reopen and reissue permits affect only those parts of the permit for which cause to reopen exists.
- b. The Division shall reopen a permit whenever additional applicable requirements become applicable to a major source with a remaining permit term of three or more years, unless the effective date of the requirements is later than the date on which the permit expires, or unless a general permit is obtained to address the new requirements; whenever additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program; whenever the Division determines the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or whenever the Division determines that the permit must be revised or revoked to assure compliance with an applicable requirement.
- c. The Division shall provide 30 days' advance notice to the permittee of its intent to reopen the permit, except that a shorter notice may be provided in the case of an emergency.
- d. The permit shield shall extend to those parts of the permit that have been changed pursuant to the reopening and reissuance procedure.

24. Section 502(b)(10) Changes

Regulation No. 3, 5 CCR 1001-5, Part C, XII.A.

The permittee shall provide a minimum 7-day advance notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit. The permittee shall attach a copy of each such notice given to its Operating Permit.

25. Severability Clause

Regulation No. 3, 5 CCR 1001-5, Part C, V.C.10.

In the event of a challenge to any portion of the permit, all emissions limits, specific and general conditions, monitoring, record keeping and reporting requirements of the permit, except those being challenged, remain valid and enforceable.

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26. Significant Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, IIII.B.2.

The permittee shall not make a significant modification required to be reviewed under Regulation No. 3, Part B ("Construction Permit" requirements) without first receiving a construction permit. The permittee shall submit a complete Operating Permit application or application for an Operating Permit revision for any new or modified source within twelve months of commencing operation, to the address listed in Item 1 in Appendix D of this permit. If the permittee chooses to use the "Combined Construction/Operating Permit" application procedures of Regulation No. 3, Part C, then the Operating Permit must be received prior to commencing construction of the new or modified source.

27. Special Provisions Concerning the Acid Rain Program

Regulation No. 3, 5 CCR 1001-5, Part C, III V.C.1.b. & 8

- a. Where an applicable requirement of the federal act is more stringent than an applicable requirement of regulations promulgated under Title IV of the federal act, 40 Code of Federal Regulations (CFR) Part 72, both provisions shall be incorporated into the permit and shall be federally enforceable.
- b. Emissions exceeding any allowances that the source lawfully holds under Title IV of the federal act or the regulations promulgated thereunder, 40 CFR Part 72, are expressly prohibited.

28. Transfer or Assignment of Ownership

Regulation No. 3, 5 CCR 1001-5, Part C, III.C.

No transfer or assignment of ownership of the Operating Permit source will be effective unless the prospective owner or operator applies to the Air Pollution Control Division on Division-supplied Administrative Permit Amendment forms, for reissuance of the existing Operating Permit. No administrative permit shall be complete until a written agreement containing a specific date for transfer of permit, responsibility, coverage, and liability between the permittee and the prospective owner or operator has been submitted to the Division.

29. Volatile Organic Compounds

Regulation No. 7, 5 CCR 1001-9, III & V.

a. For sources located in an ozone non-attainment area or the Denver Metro Attainment Maintenance Area, all storage tank gauging devices, anti-rotation devices, accesses, seals, hatches, roof drainage systems, support structures, and pressure relief valves shall be maintained and operated to prevent detectable vapor loss except when opened, actuated, or used for necessary and proper activities (e.g. maintenance). Such opening, actuation, or use shall be limited so as to minimize vapor loss.

Detectable vapor loss shall be determined visually, by touch, by presence of odor, or using a portable hydrocarbon analyzer. When an analyzer is used, detectable vapor loss means a VOC concentration exceeding 10,000 ppm. Testing shall be conducted as in Regulation No. 7, Section VIII.C.3.

Except when otherwise provided by Regulation No. 7, all volatile organic compounds, excluding petroleum liquids, transferred to any tank, container, or vehicle compartment with a capacity exceeding 212 liters (56 gallons), shall be transferred using submerged or bottom filling equipment. For top loading, the fill tube shall

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- b. The permittee shall not dispose of volatile organic compounds by evaporation or spillage unless Reasonably Available Control Technology (RACT) is utilized.
- c. No owner or operator of a bulk gasoline terminal, bulk gasoline plant, or gasoline dispensing facility as defined in Colorado Regulation No. 7, Section VI, shall permit gasoline to be intentionally spilled, discarded in sewers, stored in open containers, or disposed of in any other manner that would result in evaporation.

30. Wood Stoves and Wood burning Appliances

Regulation No. 4, 5 CCR 1001-6

The permittee shall comply with the provisions of Regulation No. 4 concerning the advertisement, sale, installation, and use of wood stoves and wood burning appliances.

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OPERATING PERMIT APPENDICES

- A INSPECTION INFORMATION
- **B- COMPLIANCE MONITORING REPORT FORMAT**
- C COMPLIANCE CERTIFICATION REPORT FORMAT
- D NOTIFICATION ADDRESSES
- E PERMIT ACRONYMS
- F PERMIT MODIFICATIONS

*DISCLAIMER:

None of the information found in these Appendices shall be considered to be State or Federally enforceable, except as otherwise stated in this permit, and is presented to assist the source, permitting authority, inspectors, and citizens.

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APPENDIX A - Inspection Information

1. Directions to Plant:

The facility is located on private land surrounded by the San Juan National Forest approximately 13 miles northeast of Dolores, Colorado and 0.6 miles east of Beaver Creek on the south side of Secondary Forest Road 532 at the intersection of Primary Forest Road 526. (Section 9, T39W, R14W).

2. Safety Equipment Required:

Eye Protection; Hard Hat; Safety Shoes; Hearing Protection; Flame Retardant Clothing

3. Facility Plot Plan:

Figure 1 (following page) shows the plot plan as submitted on April 20, 2000 with the source's Title V Operating Permit Application.

4. List of Insignificant Activities:

The following list of insignificant activities was provided by the source to assist in the understanding of the facility layout. Since there is no requirement to update such a list, activities may have changed since the last filing.

Insignificant activities and/or sources of emissions as submitted in the application are as follows:

Chemical storage tanks or containers that hold less than 500 gallons, and which have a daily throughput less than 25 gallons.

Landscaping and site housekeeping devices equal to or less than 10 H.P. in size (lawnmowers, trimmers, snow blowers, etc.)

Each individual piece of fuel burning equipment, other than smokehouse generators and internal combustion engines, which uses gaseous fuel, and which has a design rate less than or equal to 5 million Btu per hour. (See definition of fuel burning equipment, Common Provisions Regulation.)

Chemical storage areas where chemicals are stored in closed containers, and where total storage capacity does not exceed 5000 gallons. This exemption applies solely to storage of such chemicals. This exemption does not apply to transfer of chemicals from, to, or between such containers.

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Oil production wastewater (produced water tanks), containing less than 1% by volume crude oil, except commercial facilities which accept oil production wastewater for processing.

Storage of butane, propane, or liquefied petroleum gas in a vessel with a capacity of less than 60,000 gallons, provided the requirements of Regulation No. 7, Section IV are met, where applicable.

Storage tanks of capacity < 40,000 gallons of lubricating oils.

Crude oil or condensate storage tanks with a capacity of 40,000 gallons or less.

Storage tanks meeting all of the following criteria:

- (I) annual throughput is less than 400,000 gallons; and
- (II) the liquid stored is one of the following:
 - (A) diesel fuels 1-D, 2-D, or 4-D;
 - (B) fuel oils #1 through #6;
 - (C) Gas turbine fuels 1-GT through 4-GT;
 - (D) an oil/water mixture with a vapor pressure lower than that of diesel fuel (Reid vapor pressure of .025 PSIA).

Each individual piece of fuel burning equipment which uses gaseous fuel, and which has a design rate less than or equal to 10 million Btu per hour, and which is used solely for heating buildings for personal comfort.

Stationary Internal Combustion Engines which:

- (I) power portable drilling rigs; or
- (II) are emergency power generators which have a rated horsepower of less than 260 or; operate no more than 250 hours per year and have a rated horsepower of less than 737; or operate no more than 100 hours per year and have a rated horsepower of less than 1840; or
- (III) have actual emissions less than five tons per year or rated horsepower of less than 50.

Air pollution emission units, operations or activities with emissions less than the appropriate de minimis reporting level.

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300 bbl Slop Storage Tank - Used Oil/Condensate Storage (Regulation 3, Part C, II.E.3.ddd)

500 gal. Gal Lubricating Oil Storage Tank - Storage of Lubricating Oil (Regulation 3, Part C, II.E.3.aaa)

300 gal. Ambitrol Storage Tank - Storage of Ambitrol (Regulation No. 3, Part C, II.E.3.aaa)

0.5 mmBtu/hr Heat Medium Oil Heater (Regulation No. 3, Part C, II.E.3.k)

Fugitive Equipment Emissions - Emissions less than 2 tpy (Regulation No. 3, Part C, II.E.3.a)

Emergency Shutdown Device/Blowdown - Emissions less than 2 tpy each event (Regulation No. 3, Part C, II.E.3.a)

Various Drain Sumps - Emissions less than 2 tpy each (Regulation No. 3, Part C, II.E.3.a)

400 gal. Antifreeze (Ambitrol) Storage Tank (Regulation No. 3, Part C, II.E.3.aaa)

122 gal. Condensate Storage Tank (Colorado Regulation No. 3, Part C, II.E.3.ddd)

848 gal. Lube Oil Storage Tank (Colorado Regulation No. 3, Part C, II.E.3.aaa)

522 gal. Used Oil Storage Tank (Colorado Regulation No. 3, Part C, II.E.3.aaa)

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APPENDIX B

Reporting Requirements and Definitions

with codes ver 6/1/06

Please note that, pursuant to 113(c)(2) of the federal Clean Air Act, any person who knowingly:

- (A) makes any false material statement, representation, or certification in, or omits material information from, or knowingly alters, conceals, or fails to file or maintain any notice, application, record, report, plan, or other document required pursuant to the Act to be either filed or maintained (whether with respect to the requirements imposed by the Administrator or by a State);
- (B) fails to notify or report as required under the Act; or
- (C) falsifies, tampers with, renders inaccurate, or fails to install any monitoring device or method required to be maintained or followed under the Act shall, upon conviction, be punished by a fine pursuant to title 18 of the United States Code, or by imprisonment for not more than 2 years, or both. If a conviction of any person under this paragraph is for a violation committed after a first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to both the fine and imprisonment.

The permittee must comply with all conditions of this operating permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

The Part 70 Operating Permit program requires three types of reports to be filed for all permits. All required reports must be certified by a responsible official.

Report #1: Monitoring Deviation Report (due at least every six months)

For purposes of this operating permit, the Division is requiring that the monitoring reports are due every six months unless otherwise noted in the permit. All instances of deviations from permit monitoring requirements must be clearly identified in such reports.

For purposes of this operating permit, monitoring means any condition determined by observation, by data from any monitoring protocol, or by any other monitoring which is required by the permit as well as the recordkeeping associated with that monitoring. This would include, for example, fuel use or process rate monitoring, fuel analyses, and operational or control device parameter monitoring.

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Report #2: Permit Deviation Report (must be reported "promptly")

In addition to the monitoring requirements set forth in the permits as discussed above, each and every requirement of the permit is subject to deviation reporting. The reports must address deviations from permit requirements, including those attributable to upset conditions and malfunctions as defined in this Appendix, the probable cause of such deviations, and any corrective actions or preventive measures taken. All deviations from any term or condition of the permit are required to be summarized or referenced in the annual compliance certification.

For purposes of this operating permit, "upset" shall refer to both emergency conditions and upsets. Additional discussion on these conditions is provided later in this Appendix.

For purposes of this operating permit, the Division is requiring that the permit deviation reports are due as set forth in General Condition 21. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. For example, quarterly Excess Emission Reports required by an NSPS or Regulation No. 1, Section IV.

In addition to the monitoring deviations discussed above, included in the meaning of deviation for the purposes of this operating permit are any of the following:

- (1) A situation where emissions exceed an emission limitation or standard contained in the permit;
- (2) A situation where process or control device parameter values demonstrate that an emission limitation or standard contained in the permit has not been met;
- (3) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit; or,
- (4) A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only if the emission point is subject to CAM)

For reporting purposes, the Division has combined the Monitoring Deviation Report with the Permit Deviation Report. All deviations shall be reported using the following codes:

1 = Standard: When the requirement is an emission limit or standard 2 = Process: When the requirement is a production/process limit

3 = Monitor: When the requirement is monitoring4 = Test: When the requirement is testing

5 = Maintenance: When required maintenance is not performed

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6 = **Record:** When the requirement is recordkeeping 7 = **Report:** When the requirement is reporting

8 = CAM: A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the

Compliance Assurance Monitoring (CAM) Rule) has occurred.

9 = Other: When the deviation is not covered by any of the above categories

Report #3: Compliance Certification (annually, as defined in the permit)

Submission of compliance certifications with terms and conditions in the permit, including emission limitations, standards, or work practices, is required not less than annually.

Compliance Certifications are intended to state the compliance status of each requirement of the permit over the certification period. They must be based, at a minimum, on the testing and monitoring methods specified in the permit that were conducted during the relevant time period. In addition, if the owner or operator knows of other material information (i.e. information beyond required monitoring that has been specifically assessed in relation to how the information potentially affects compliance status), that information must be identified and addressed in the compliance certification. The compliance certification must include the following:

- The identification of each term or condition of the permit that is the basis of the certification;
- Whether or not the method(s) used by the owner or operator for determining the compliance status with each permit term and condition during the certification period was the method(s) specified in the permit. Such methods and other means shall include, at a minimum, the methods and means required in the permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Clean Air Act, which prohibits knowingly making a false certification or omitting material information;
- The status of compliance with the terms and conditions of the permit, and whether compliance was continuous or intermittent. The certification shall identify each deviation and take it into account in the compliance certification. Note that not all deviations are considered violations.¹

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For example, given the various emissions limitations and monitoring requirements to which a source may be subject, a deviation from one requirement may not be a deviation under another requirement which recognizes an exception and/or special circumstances relating to that same event. Further, periods of excess emissions during startup, shutdown and malfunction may not be found to be a violation of an emission limitation or standard where the source adequately shows that any potential deviations as a result of these infrequent periods

• Such other facts as the Division may require, consistent with the applicable requirements to which the source is subject, to determine the compliance status of the source.

The Certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only for emission points subject to CAM)

Note the requirement that the certification shall identify each deviation and take it into account in the compliance certification. Previously submitted deviation reports, including the deviation report submitted at the time of the annual certification, may be referenced in the compliance certification.

were minimized to the extent practicable and could not have been prevented through careful planning, design, or were unavoidable to prevent loss of life, personal injury, or severe property damage.

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Startup, Shutdown, Malfunctions, Emergencies, and Upsets

Understanding the application of Startup, Shutdown, Malfunctions, Emergency provisions, and the Upset provisions is very important in both the deviation reports and the annual compliance certifications.

Startup, Shutdown, and Malfunctions

Please note that exceedances of some New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) standards that occur during Startup, Shutdown or Malfunctions may not be considered to be non-compliance since emission limits or standards often do not apply unless specifically stated in the NSPS. Such exceedances must, however, be reported as excess emissions per the NSPS/MACT rules and would still be noted in the deviation report. In regard to compliance certifications, the permittee should be confident of the information related to those deviations when making compliance determinations since they are subject to Division review. The concepts of Startup, Shutdown and Malfunctions also exist for Best Available Control Technology (BACT) sources, but are not applied in the same fashion as for NSPS and MACT sources.

Emergencies and Upsets

Under the Emergency provisions of Part 70 and the Upset provisions of the State regulations, certain operational conditions may act as an affirmative defense against enforcement action if they are properly reported.

DEFINITIONS

Malfunction (NSPS) means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Malfunction (SIP) means any sudden and unavoidable failure of air pollution control equipment or process equipment or unintended failure of a process to operate in a normal or usual manner. Failures that are primarily caused by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

Emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include

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noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

Upset means an unpredictable failure of air pollution control or process equipment which results in the violation of emission control regulations and which is not due to poor maintenance, improper or careless operations, or is otherwise preventable through exercise of reasonable care.

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APPENDIX B: Monitoring and Permit Deviation Report - Part I

- 1. Following is the **required** format for the Monitoring and Permit Deviation report to be submitted to the Division as set forth in General Condition 21. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.
- 2. Part II of this Appendix B shows the format and information the Division will require for describing periods of monitoring and permit deviations, or upset or emergency conditions as indicated in the Table below. One Part II Form must be completed for each Deviation. Previously submitted reports (e.g. EER's or Upsets) may be referenced and the form need not be filled out in its entirety.

FACILITY NAME: TransColorado Gas Transmi	ission Company - Dolores Compressor Station
OPERATING PERMIT NO: 00OPDO225	
REPORTING PERIOD:	(see first page of the permit for specific reporting period and
dates)	

Operating Permit Unit		Deviatio During l		Deviation Code ²	Condition	mergency n Reported Period?
ID	Unit Description	YES	NO		YES	NO
S01	Caterpillar G3612 LE Engine E367, Serial Number 1YG00139, Rated at 3530 HP (or equivalent under AOS)					
S02	Caterpillar G3612 LE Engine E368, Serial Number 1YG00138, Rated at 3530 HP (or equivalent under AOS)					
S03	Waukesha L36GL Engine E371, Serial Number C-93955/1 (or equivalent under AOS)					
S04	Waukesha L36GL Engine 372, Serial Number C-93995/2 (or equivalent under AOS)					
S05	Caterpillar G3612 LE Engine E379, Serial Number tbd, Rated at 3330 HP (or equivalent under AOS)					
General Conditions						

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Operating Permit Unit	ermit Unit		ns noted eriod? ¹	Deviation Code ²	Condition	mergency n Reported Period?
ID	Unit Description	YES	NO		YES	NO
Insignificant Activities						

¹ See previous discussion regarding what is considered to be a deviation. Determination of whether or not a deviation has occurred shall be based on a reasonable inquiry using readily available information.

1 = Standard: When the requirement is an emission limit or standard

2 = Process: When the requirement is a production/process limit

3 = Monitor: When the requirement is monitoring 4 = Test: When the requirement is testing

5 = Maintenance: When required maintenance is not performed
 6 = Record: When the requirement is recordkeeping
 7 = Report: When the requirement is reporting

8 = CAM: A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the

Compliance Assurance Monitoring (CAM) Rule) has occurred.

9 = Other: When the deviation is not covered by any of the above categories

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² Use the following entries, as appropriate

APPENDIX B: Monitoring and Permit Deviation Report - Part II

FACILITY NAME: TransColorado Gas Tr OPERATING PERMIT NO: 00OPDO225 REPORTING PERIOD:	ansmission Compar	ny - Dolores Comp	ressor Station
Is the deviation being claimed as an:	Emergency	Upset	N/A
(For NSPS/MACT) Did the deviation occur during:	Startup	Shutdown	Malfunction
	Normal Operation		
OPERATING PERMIT UNIT IDENTIFICATION:			
Operating Permit Condition Number Citation			
Explanation of Period of Deviation			
Duration (start/stop date & time)			
Action Taken to Correct the Problem			
Measures Taken to Prevent a Reoccurrence of the Pr	<u>oblem</u>		
Dates of Upsets/Emergencies Reported (if applicable	<u>e)</u>		
Deviation Code	Division Code QA:		
SEE EXAMPLI	E ON THE NEXT	PAGE	

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EXAMPLE

FACILITY NAME: A OPERATING PERMIT NO: 9 REPORTING PERIOD: 1				
Is the deviation being claimed a	as an:	Emergency	Upset XX	N/A
(For NSPS/MACT) Did the dev	viation occur during:	Startup Normal Operation	Shutdown	Malfunction
OPERATING PERMIT UNIT	IDENTIFICATION:			
Asphalt Plant with a Scrubber f	for Particulate Control	l - Unit XXX		
Operating Permit Condition Nu Section II, Condition 3.1 - Opa				
Explanation of Period of Devia Slurry Line Feed Plugged	<u>tion</u>			
<u>Duration</u> START- 1730 4/10/96 END- 1800 4/10/96				
Action Taken to Correct the Pro Line Blown Out	<u>oblem</u>			
Measures Taken to Prevent Red Replaced Line Filter	occurrence of the Prob	<u>olem</u>		
<u>Dates of Upsets/Emergencies R</u> 5/30/04 to A. Einstein, APCD	Reported (if applicable	<u>e)</u>		
Deviation Code		Division Code QA:		

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Draft Renewal Permit

APPENDIX B: Monitoring and Permit Deviation Report - Part III

REPORT CERTIFICATION

Printed or Typed Name Signature of Responsible Note: Deviation reports shall be submitted permit. No copies need be sent to the U.S.	Title e Official Date Signed ted to the Division at the address given in Appendix D of this
Printed or Typed Name	Title
	·
122.1, C.R.S.	F
1-501(6), C.R.S., makes any false materia	ate that any person who knowingly, as defined in Sub-Section 18 al statement, representation, or certification in this document is unished in accordance with the provisions of Sub-Section 25-3
0	submitted in its entirety and, based on information and belie that the statements and information contained in this submitta
STATEMENT OF COMPLETENESS	
	nal Deviation Reports must be certified by a responsible official as rt A, Section I.B.38. This signed certification document must be ed.
REPORTING PERIOD:	(see first page of the permit for specific reporting period and dates)
7 ETHILL TYOU ED EN 40 01 E 0 220	
PERMIT NUMBER: 00OPDO225	
FACILITY IDENTIFICATION NUMBER: PERMIT NUMBER: 00OPDO225	0330019

APPENDIX C Required Format for Annual Compliance Certification Reports

Following is the format for the Compliance Certification report to be submitted to the Division and the U.S. EPA annually based on the effective date of the permit. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.

FACILITY NAME:	TransColorado Gas Transmission Company - Dolores Compressor Station
OPERATING PERMIT NO:	00OPDO225
REPORTING PERIOD:	

I. Facility Status

During the entire reporting period, this source was in compliance with ALL terms and cond	itions contained
in the Permit, each term and condition of which is identified and included by this reference.	The method(s)
used to determine compliance is/are the method(s) specified in the Permit.	

With the possible exception of the deviations identified in the table below, this source was in compliance with all terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference, during the entire reporting period. The method used to determine compliance for each term and condition is the method specified in the Permit, unless otherwise indicated and described in the deviation report(s). Note that not all deviations are considered violations.

Operating Permit Unit ID	Unit Description	Devia Repor		Monit Metho Perm	d per	Was compliand interm	ce continuous or nittent? ³
		Previous	Current	YES	NO	Continuous	Intermittent
S01	Caterpillar G3612 LE Engine E367, Serial Number 1YG00139, Rated at 3530 HP (or equivalent under AOS)						
S02	Caterpillar G3612 LE Engine E368, Serial Number 1YG00138, Rated at 3530 HP (or equivalent under AOS)						

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Operating Permit Unit ID	Unit Description	Devia Repor		Monit Metho Perm	d per		ce continuous or ittent? ³
		Previous	Current	YES	NO	Continuous	Intermittent
S03	Waukesha L36GL Engine E371, Serial Number C-93955/1 (or equivalent under AOS)						
S04	Waukesha L36GL Engine 372, Serial Number C-93995/2 (or equivalent under AOS)						
S05	Caterpillar G3612 LE Engine E379, Serial Number tbd, Rated at 3330 HP (or equivalent under AOS)						
General Conditions							
Insignificant Activities ⁴							

¹ If deviations were noted in a previous deviation report, put an "X" under "previous". If deviations were noted in the current deviation report (i.e. for the last six months of the annual reporting period), put an "X" under "current". Mark both columns if both apply.

NOTE:

The Periodic Monitoring requirements of the Operating Permit program rule are intended to provide assurance that even in the absence of a continuous system of monitoring the Title V source can demonstrate whether it has operated in continuous compliance for the duration of the reporting period. Therefore, if a source 1) conducts all of the monitoring and recordkeeping required in its permit, even if such activities are done periodically and not continuously, and if 2) such monitoring and recordkeeping does not indicate non-compliance, and if 3) the Responsible Official is not aware of any credible evidence that indicates non-compliance, then the Responsible Official can certify that the emission point(s) in question were in continuous compliance during the applicable time period.

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² Note whether the method(s) used to determine the compliance status with each term and condition was the method(s) specified in the permit. If it was not, mark "no" and attach additional information/explanation.

³ Note whether the compliance status with of each term and condition provided was continuous or intermittent. "Intermittent Compliance" can mean either that noncompliance has occurred or that the owner or operator has data sufficient to certify compliance only on an intermittent basis. Certification of intermittent compliance therefore does not necessarily mean that any noncompliance has occurred.

⁴ Comp	oliance st	atus for these sources shal	l be based on a reas	sonable inqu	iry using rea	adily ava	ailable	e information.			
II.	Status	s for Accidental Relea	se Prevention P	rogram:							
	A.	This facility Release Prevention							of the A	Accide	ental
	B.	If subject: The facil requirements of sec		is	is	not	in	compliance	with	all	the
III.	Certii		nagement Plan authority and/or) the
Color	ado Re	ion for the Annual Congulation No. 3, Part Ats being submitted.									
reaso	nable i	ewed this certificati nquiry, I certify tha d complete.		•							
Pleas C.R.S	e note S., mak	that the Colorado St es any false material or and may be punish	statement, rep	resentatio	on, or cert	tificati	on ir	ı this docum	ent is g		
		Printed or Typed Na	ame					Titl	e		
		Signature						Date	Signed		
		compliance certificate al Protection Agency							ision a	nd to	the
Opera	ating Pe	ermit Number: 00OPD	O225					First Issued:	Februar	y 1, 2	2001

APPENDIX D Notification Addresses

1. **Air Pollution Control Division**

Colorado Department of Public Health and Environment Air Pollution Control Division Operating Permits Unit APCD-SS-B1 4300 Cherry Creek Drive S. Denver, CO 80246-1530

ATTN: Jim King

2. United States Environmental Protection Agency

Compliance Notifications:

Office of Enforcement, Compliance and Environmental Justice Mail Code 8ENF - T U.S. Environmental Protection Agency, Region VIII 999 18th Street, Suite 300 Denver, CO 80202

Permit Modifications, Off Permit Changes:

Office of Partnerships and Regulatory Assistance Mail Stop 8P-AR U.S. Environmental Protection Agency, Region VIII 999 18th Street, Suite 500 Denver, CO 80202

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APPENDIX E Permit Acronyms

Listed Alphabetically:

MMscf-

MMscfd -

N/A or NA -

sted	Alphabetically	•
	AIRS -	Aerometric Information Retrieval System
	AP-42 -	EPA Document Compiling Air Pollutant Emission Factors
	APEN -	Air Pollution Emission Notice (State of Colorado)
	APCD -	Air Pollution Control Division (State of Colorado)
	ASTM -	American Society for Testing and Materials
	BACT -	Best Available Control Technology
	BTU -	British Thermal Unit
	CAA -	Clean Air Act (CAAA = Clean Air Act Amendments)
	CCR -	Colorado Code of Regulations
	CEM -	Continuous Emissions Monitor
	CF -	Cubic Feet (SCF = Standard Cubic Feet)
	CFR -	Code of Federal Regulations
	CO -	Carbon Monoxide
	COM -	Continuous Opacity Monitor
	CRS -	Colorado Revised Statute
	EF -	Emission Factor
	EPA -	Environmental Protection Agency
	FI -	Fuel Input Rate in Lbs/mmBtu
	FR -	Federal Register
	G -	Grams
	Gal -	Gallon
	GMCS -	Gas Migration Control System
	GPM -	Gallons per Minute
	HAPs -	Hazardous Air Pollutants
	HP -	Horsepower
	HP-HR -	Horsepower Hour (G/HP-HR = Grams per Horsepower Hour)
	LAER -	Lowest Achievable Emission Rate
	LBS -	Pounds
	LFG -	Landfill Gas
	M -	Thousand
	MM -	Million

Million Standard Cubic Feet

Not Applicable

Million Standard Cubic Feet per Day

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Nitrogen	Oxides
	Nitrogen

NESHAP - National Emission Standards for Hazardous Air Pollutants

NMOC - Non-Methane Organic Compounds NSPS - New Source Performance Standards P - Process Weight Rate in Tons/Hr

PE - Particulate Emissions PM - Particulate Matter

PM₁₀ - Particulate Matter Under 10 Microns PSD - Prevention of Significant Deterioration

PTE - Potential To Emit

RACT - Reasonably Available Control Technology

SCC - Source Classification Code

SCF - Standard Cubic Feet

SIC - Standard Industrial Classification

SO₂ - Sulfur Dioxide TPY - Tons Per Year

TSP - Total Suspended Particulate VOC - Volatile Organic Compounds

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APPENDIX F Permit Modifications

DATE OF REVISION	TYPE OF REVISION	SECTION NUMBER, CONDITION NUMBER	DESCRIPTION OF REVISION
Rec'd 5/15/06	Minor Permit Modification	Section II, Condition 1.1	Revise emission limits and fuel use limit for S03 and S04 to return to originally permitted format (limits are total for both engines, to allow for operational flexibility).
November 27, 2006	Significant Permit Modification	Section II, Condition 1.1	Reduce CO emission limits and emission factors for S01 and S02 to reflect use of catalyst
		Section II, Condition 1.4	Catalyst monitoring now applies to S01 and S02, as well as S05.
		Section II, Condition 1.5	Revised to indicate that "new" engines on site prior to the synthetic minor permit issuance date remain subject to the RICE MACT requirements.
		Section II, Condition 1.6	Add facility wide HAP emission limits.
		Section I, Condition 6.1	Update CAM status.

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